

Appendix A

Oracle's Disclosure of Products Practicing Patent Claims

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE, INC.

Defendant.

Case No. CV 10-03561 WHA

**ORACLE'S DISCLOSURE OF PRODUCTS
PRACTICING PATENT CLAIMS**

Dept.: Courtroom 8, 19th Floor
Judge: Honorable William H. Alsup

1 Pursuant to the Court's December 6, 2011 Supplemental Order Regarding Patenting
2 Marking (Dkt. No. 641) and the agreement between the parties as set forth in their December 30,
3 2011 Joint Statement Regarding Supplemental Order Regarding Patenting Marking (Dkt. No.
4 661), Plaintiff Oracle America, Inc. ("Oracle") hereby submits the following disclosure regarding
5 Oracle products, Oracle-licensed products, Sun products, and Sun-licensed products ("Oracle
6 Products") that practice or have practiced the asserted claims of the patents-in-suit ("claims-in-
7 suit").

8 **I. DISCLOSURE OF ORACLE PRODUCTS PRACTICING ASSERTED CLAIMS**

9 Oracle here identifies instrumentalities, source code citations and/or documentation, fact
10 witnesses who possess information supporting Oracle's contentions regarding Oracle Products
11 that practice the claims-in-suit, and a summary of testimony Oracle intends to elicit at trial from
12 those witnesses regarding those products' practice of the claims-in-suit. The identified products
13 have numerous releases and versions – including for various platforms (x86, SPARC, etc.) – that
14 do not vary substantively as to their implementation of the patented techniques at issue.
15 Accordingly, the citations below are exemplary, not exhaustive, and are intended to guide
16 Google's evaluation of the use of the patented inventions in Oracle Products. The identification of
17 particular witnesses in association with particular products below represents Oracle's present
18 intention; Oracle reserves the right to substitute witnesses with respect to the Oracle products, in
19 accordance with the Joint Final Pretrial Statement, to accommodate the needs of the trial and the
20 witnesses' schedules.

A. The '104 Patent

The following Oracle Products practice the asserted claims of the '104 patent, as exemplified by the identified source code citations and/or documentation:

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
<p>JDK 1.0 and subsequent versions</p> <p>JRE 1.1.1 and subsequent versions</p> <p>HotSpot 1.0 and subsequent versions</p>	<p>JDK 1.0 version: classinitialize.c interpreter.c</p> <p>JDK 1.1 version: classinitialize.c executeJava.c interpreter.c</p> <p>JDK 1.2 version: classinitialize.c executeJava.c interpreter.c</p> <p>HotSpot version: interpreterRuntime.cpp templateTable.cpp templateTable_sparc.cpp</p>	<p>Peter Kessler will testify in support of Oracle's contention that the identified instrumentalities practice the asserted claims of the '104 patent. He will explain the function and operation of the features of the products, with reference to source code and documentation, that implement the asserted claims of the '104 patent. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions. He will describe the major components of the JDK, including the Java SE class libraries and Java Virtual Machine (JVM), as well as the inclusion of and transition to the HotSpot virtual machine.</p> <p>Peter Kessler will testify that the identified versions of JRE encompass the JDK and therefore implement the asserted claims in the same way.</p>
<p>Java SE for Embedded 1.4.2_11 and subsequent versions</p>	<p>see above and below</p>	<p>Robert Vandette will testify that the identified versions of Java SE Embedded are based on Java SE and the HotSpot virtual machine sources and therefore implement the asserted claims in the same way. He will testify that some releases used the CDC virtual machine technology (known as CVM), and therefore implement the asserted claims in the same way. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not</p>

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
		vary substantively as to the features that implement the claimed inventions.
J2EE 1.2 (later called Java EE) and subsequent versions	see above	Mark Reinhold will testify that the identified versions of Java EE are bundled with Java SE and the JDK and therefore implement the asserted claims in the same way. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.
Java Real Time 1.0 and subsequent versions	see above	John Pampuch will testify that the identified versions of Java Real Time are based on JDK 1.4 and HotSpot (and subsequent versions) and therefore implement the asserted claims in the same way. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.
<p>CDC RI 1.0 and CDC HI 1.0 and subsequent versions of each</p> <p>CDC AMS 1.0, 1.0_1, and 1.0_2 (Personal Basis Profile and Personal Profile versions)</p> <p>Personal Profile RI 1.0 and subsequent versions</p> <p>Personal Profile HI 1.1.1</p> <p>Personal Basis</p>	<p>constantpool.c constantpool.h executejava_split1.c (or executejava_standard.c or executejava.c) interpreter.h quicken.c</p>	Noel Poore will testify in support of Oracle's contention that the identified instrumentalities practice the asserted claims of the '104 patent. He will explain the function and operation of the features of the products, with reference to source code and documentation, that implement the asserted claims of the '104 patent. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
<p>Profile RI 1.0 and subsequent versions</p> <p>Personal Basis Profile HI 1.1.1</p> <p>Foundation Profile 1.0 and subsequent versions</p> <p>CDC ToolKit 1.0 or Java ME SDK 3.0 EA and subsequent versions</p>		
<p>CLDC RI 1.0 and 1.1</p> <p>WTK 1.0 or Java ME SDK 3.0 EA and subsequent versions</p> <p>CLDC HI 1.0 and subsequent versions</p> <p>Oracle Java Wireless Client (formerly Sun Java Wireless Client) 1.0 and subsequent versions</p>	<p>For CLDC RI and WTK listed versions: bytecodes.c cache.c cache.h interpret.c interpret.h</p> <p>For CLDC HI and Oracle Java Wireless Client listed versions: Interpreter_c.cpp TemplateTable.cpp TemplateTable.hpp TemplateTable_arm.cpp TemplateTable_i386.cpp TemplateTable_sh.cpp TemplateTable_thumb2.cpp</p>	<p>Mark Reinhold will testify in support of Oracle's contention that the identified instrumentalities practice the asserted claims of the '104 patent. He will explain the function and operation of the features of the products, with reference to source code and documentation, that implement the asserted claims of the '104 patent. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.</p>
<p>PersonalJava 1.0 and subsequent versions</p> <p>EmbeddedJava 1.0 and subsequent versions</p> <p>JavaOS 1.0 (and variants, including Java PC) and subsequent versions</p>	<p>classinitialize.c executeJava.c interpreter.c</p>	<p>John Pampuch will testify in support of Oracle's contention that the identified instrumentalities practice the asserted claims of the '104 patent. He will explain the function and operation of the features of the products, with reference to source code and documentation, that implement the asserted claims of the '104 patent. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not</p>

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
		vary substantively as to the features that implement the claimed inventions.
Java Card connected platform 3.0 and subsequent versions	bytecodes.c infrequent_bytecodes.c execute.c	John Pampuch will testify in support of Oracle's contention that the identified instrumentalities practice the asserted claims of the '104 patent. He will explain the function and operation of the features of the products, with reference to source code and documentation, that implement the asserted claims of the '104 patent. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.

B. The '205 Patent

The following Oracle Products practice the asserted claims of the '205 patent, as exemplified by the identified source code citations and/or documentation:

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
JDK 1.2 and subsequent versions	HotSpot 1.0 version: instanceKlass.cpp interp_masm_sparc.cpp interpreter_sparc.cpp interpreterRuntime.cpp linkResolver.cpp	Peter Kessler will testify in support of Oracle's contention that the identified instrumentalities practice the asserted claims of the '205 patent. He will explain the function and operation of the features of the products, with reference to source code and documentation, that implement the asserted claims of the '205 patent. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions. He will describe the major components of the JDK, including the Java SE class libraries and Java Virtual Machine (JVM), as well as the
JRE 1.2 and subsequent versions	methodOop.cpp methodOop.hpp nmethod.hpp rewriter.cpp templateTable.cpp templateTable_sparc.cpp vm_operations.cpp	
HotSpot 1.0 and subsequent versions	Another example: bytecode.hpp globals.hpp instanceKlass.cpp	

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
	<p>rewriter.cpp templateTable.cpp templateTable_i486.cpp</p> <p>HotSpot 2.0 version: ciEnv.cpp interpreter_sparc.cpp methodOop.cpp methodOop.hpp templateTable.cpp templateTable_sparc.cpp</p> <p>Another example: bytecode.hpp globals.hpp instanceKlass.cpp rewriter.cpp templateTable.cpp templateTable_i486.cpp</p> <p>JDK 1.3 to 1.6 example: templateTable_i486.cpp</p> <p>JDK 7 example: templateTable_x86_32.cpp</p> <p>JDK 8 example: instanceKlass.cpp rewriter.cpp templateTable.cpp templateTable_x86_32.cpp</p>	<p>inclusion of and transition to the HotSpot virtual machine.</p> <p>Peter Kessler will testify that the identified versions of JRE encompass the JDK and therefore implement the asserted claims in the same way.</p>
Java SE for Embedded 1.4.2 and subsequent versions	see above and below	Robert Vandette will testify that the identified versions of Java SE Embedded are based on Java SE and the HotSpot virtual machine sources and therefore implement the asserted claims in the same way. He will testify that some releases used the CDC virtual machine technology (known as CVM), and therefore implement the asserted claims in the same way. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
		vary substantively as to the features that implement the claimed inventions.
J2EE 1.2 (later called Java EE) and subsequent versions	see above	Mark Reinhold will testify that the identified versions of Java EE are bundled with Java SE and the JDK, and therefore implement the asserted claims in the same way. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.
Java Real Time System 1.0 and subsequent versions	see above	John Pampuch will testify that the identified versions of Java Real Time are based on JDK 1.4 and HotSpot (and subsequent versions) and therefore implement the asserted claims in the same way. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.
CDC HI 1.1.1 and subsequent versions Personal Profile HI 1.1.1 Personal Basis Profile HI 1.1.1 CDC AMS 1.0, 1.0_1, and 1.0_2 (Personal Basis Profile and Personal Profile versions)	classcreate.c executejava_standard.c interpreter.h jitcompile.c jitemitter_cpu.c jitgrammarrules.jcs jit_common.c jit_common.h jit_cpu.S	Noel Poore will testify in support of Oracle's contention that the identified instrumentalities practice the asserted claims of the '205 patent. He will explain the function and operation of the features of the products, with reference to source code and documentation, that implement the asserted claims of the '205 patent. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.
CLDC HI 1.1 and subsequent versions CLDC RI 1.1.1	InterpreterRuntime.cpp Method.cpp Method.hpp SharedStubs_arm.cpp SharedStubs_i386.cpp	Mark Reinhold will testify in support of Oracle's contention that the identified instrumentalities practice the asserted claims of the '205 patent. He will explain the function and

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
	SharedStubs_sh.cpp SharedStubs_thumb2.cpp TemplateTable.cpp TemplateTable.hpp TemplateTable_arm.cpp TemplateTable_i386.cpp TemplateTable_sh.cpp TemplateTable_thumb2.cpp	operation of the features of the products, with reference to source code and documentation, that implement the asserted claims of the '205 patent. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.

C. The '702 Patent

The following Oracle Products practice the asserted claims of the '702 patent, as exemplified by the identified source code citations and/or documentation:

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
JavaOS 1.1 (and variants, including Java PC)	class.c ClassClass.java ClassConstant.java classinitialize.c classloader.c ConstantPool.java DoubleValueConstant.java FieldConstant.java FileLoader.java FMlrefConstant.java InterfaceConstant.java JavaOSVM.java Jld.java Main.java MethodConstant.java MultiClass.java NameAndTypeConstant.java SingleValueConstant.java UnicodeConstant.java	John Pampuch will testify in support of Oracle's contention that the identified instrumentalities practice the asserted claims of the '702 patent. He will explain the function and operation of the features of the products, with reference to source code and documentation, that implement the asserted claims of the '702 patent. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.
Java Card platform 2.1 and subsequent versions	PackageConverter.java ClassConverter.java JcConstantPool.java	John Pampuch will testify in support of Oracle's contention that the identified instrumentalities practice the asserted claims of the '702 patent. He will explain the function and operation of the features of the products, with reference to source code and documentation, that implement the asserted claims of the

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
		'702 patent. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.

D. The '476 Patent

The following Oracle Products practice the asserted claims of the '476 patent, as exemplified by the identified source code citations and/or documentation:

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
JDK 1.2 and subsequent versions JRE 1.2 and subsequent versions	ProtectionDomain.java Permission.java BasicPermission.java AccessController.java SecurityManager.java	Mark Reinhold will testify regarding how the identified instrumentalities practice the claim-in-suit of the '476 patent. In doing so, he will refer to the identified source code citations and documentation to explain how the identified instrumentalities practice the claim-in-suit of the '476 patent. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions. He will describe the major components of the JDK, including the Java SE class libraries and Java Virtual Machine (JVM). Mark Reinhold will testify that the identified versions of JRE encompass the JDK and therefore practice the patented techniques of the claim-in-suit in the same way.
Java SE for Embedded 1.4.2_11 and subsequent versions	see above and below	Robert Vandette will testify that the identified versions of Java SE Embedded are based on Java SE and the HotSpot virtual machine sources and therefore implement the asserted claims in the same way. He will testify that some releases used the CDC virtual machine technology (known as CVM), and therefore implement the asserted claims in the same

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
		way. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.
J2EE 1.2 (later called Java EE) and subsequent versions	see above	Mark Reinhold will testify that the identified versions of Java EE are bundled with Java SE and the JDK and therefore implement the asserted claims in the same way. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.
Java Real Time System 1.0 and subsequent versions	see above	John Pampuch will testify that the identified versions of Java Real Time are based on JDK 1.4 and HotSpot (and subsequent versions) and therefore implement the asserted claims in the same way. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.
<p>CDC RI 1.0 and CDC-HI 1.0, and subsequent versions</p> <p>CDC AMS 1.0, 1.0_1, and 1.0_2 (Personal Basis Profile and Personal Profile versions)</p> <p>Personal Profile RI 1.0 and subsequent versions</p> <p>Personal Profile HI 1.1.1</p> <p>Personal Basis Profile RI 1.0 and subsequent versions</p>	<p>ProtectionDomain.java</p> <p>Permission.java</p> <p>BasicPermission.java</p> <p>AccessController.java</p> <p>SecurityManager.java</p>	Noel Poore will testify that the identified versions of the listed instrumentalities are based on JDK 1.3 and 1.4, and therefore practice the patented techniques of the claim-in-suit of the '476 patent in the same way. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
Personal Basis Profile HI 1.1.1 Foundation Profile 1.0.2 and subsequent versions CDC Toolkit 1.0 and Java ME SDK 3.0 EA and subsequent versions		
Java Card connected platform 3.0 and subsequent versions	ProtectionDomain.java Permission.java BasicPermission.java AccessController.java	John Pampuch will testify in support of Oracle's contention that the identified instrumentalities practice the asserted claims of the '476 patent. He will explain the function and operation of the features of the products, with reference to source code and documentation, that implement the asserted claims of the '476 patent. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.

E. The '520 Patent

The following Oracle Products practice the asserted claims of the '520 patent, as exemplified by the identified source code citations and/or documentation:

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
CLDC HI 1.1.3 and subsequent versions CLDC RI 1.1.1 and subsequent versions	BytecodeOptimizer.cpp BytecodeOptimizer.hpp Bytecodes.hpp TemplateTable.cpp	Mark Reinhold will testify in support of Oracle's contention that the identified instrumentalities practice the asserted claims of the '520 patent. He will explain the function and operation of the features of the products, with reference to source code and documentation, that implement the asserted claims of the '520 patent. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
Java Card platform 2.1 and subsequent versions	ClinitConverter.java ClassConverter.java JcConstantPool.java	John Pampuch will testify in support of Oracle's contention that the identified instrumentalities practice the asserted claims of the '520 patent. He will explain the function and operation of the features of the products, with reference to source code and documentation, that implement the asserted claims of the '520 patent. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.

F. The '720 Patent

The following Oracle Products practice the asserted claims of the '720 patent, as exemplified by the identified source code citations and/or documentation:

Identified Instrumentality	Source Code Citations / Documentation	Testifying Fact Witness And Summary
CDC AMS 1.0, 1.0_1, 1.0_2 (Personal Basis Profile and Personal Profile versions)	ansi_java_md.c mtask.c Warmup.java mtask.html	Erez Landau will testify in support of Oracle's contention that the identified instrumentalities practice the asserted claims of the '720 patent. He will explain the function and operation of the features of the products, with reference to source code and documentation, that implement the asserted claims of the '720 patent. He will further testify that although the identified instrumentalities have a number of releases and versions, these do not vary substantively as to the features that implement the claimed inventions.

Dated: January 6, 2012

MICHAEL A. JACOBS
MARC DAVID PETERS
MORRISON & FOERSTER LLP

By: /s/ Marc David Peters

Attorneys for Plaintiff
ORACLE AMERICA, INC.

CERTIFICATE OF SERVICE

I declare that I am employed with the law firm of Morrison & Foerster LLP, whose address is 755 Page Mill Road, Palo Alto, California 94304-1018. I am not a party to the within cause, and I am over the age of eighteen years.

I further declare that on January 6, 2012, I served a copy of:

**ORACLE'S DISCLOSURE OF PRODUCTS PRACTICING
PATENT CLAIMS**

☒ **BY ELECTRONIC SERVICE [Fed. Rule Civ. Proc. rule 5(b)]** by electronically mailing a true and correct copy through Morrison & Foerster LLP's electronic mail system to the e-mail address(es) set forth below, or as stated on the attached service list per agreement in accordance with Federal Rules of Civil Procedure rule 5(b).

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I declare under penalty of perjury that the foregoing is true and correct.

Executed at Palo Alto, California, this 6th day of January, 2012.

Marc David Peters
(typed)

/s/ Marc David Peters
(signature)